IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.715 OF 2004
IN
NOTICE OF MOTION NO.4903 OF 2001
IN
L.C. SUIT NO.6035 OF 2001

Office Notes, Office Memoranda of Coram, appearances, Court's Order or Directions and Registrar's Orders	Court's or Judge's Orders

Mr.H.S. Shreepadmurthy for Appellant
Mr.J.Xavier for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **OCTOBER 16, 2004**

. The Appeal from Order has been filed against the dismissal of the Notice of Motion of the plaintiff, appellant herein. The Notice of Motion was filed before the City Civil Court for an injunction agaisnt the Respondent from taking action pursuant to the order daed 21.7.2001 of the Deputy Municipal Commissioner. The trial Court has permitted regularisation of the construction of the plaintiff to the extent of 90 sq.mtrs. Mr.Murthy for the appellant seeks to withdraw the

present appeal with liberty to approach the Deputy Municipal Commissioner for regularisation of the entire suit structure which admeasures approximately 120 sq.ft.

2. Appeal from Order is accordingly allowed to be withdrawn and dismissed as such with liberty as prayed for. The appellant may make such representation within two weeks from today which will be considered in accordance with law.